



(111)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7091-2025 (O&M)

Date of decision:- 12.03.2025

Mala Bai

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM:

HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Ms. Anju Sharma, Advocate,
for the petitioner.

Mr. Sartaj Singh Gill, Senior Deputy Advocate General, Punjab.

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SHEEL NAGU, C.J. (ORAL)

1. The present petition has been filed raising the apprehension that being an accused in a trial under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985, coercive steps may be taken by the State and its functionaries, including that of demolishing immovable property belonging to the petitioner.

2. For this purpose, the petitioner has relied upon recent judgement rendered by Apex Court on 13.11.2024 in a group of writ petitions lead case being Writ Petition (Civil) No. 295 of 2022.

3. After seeking instructions, Mr. Sartaj Singh Gill, learned Senior Deputy Advocate General, Punjab, assures that the apprehension raised by the petitioner is unfounded since the State and its functionaries shall follow due process of law, as prescribed in Chapter 5-A of the NDPS Act, before any coercive action is taken by the State or its functionaries.

4. In view of the aforesaid assurance given by learned State counsel, this Court does not deem it appropriate to proceed with this matter and disposes of the petition with the hope and expectation that due process of law shall be followed by the State and its functionaries before taking any coercive steps under Chapter 5-A of NDPS Act, against the petitioner.

5. The petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SUMEET GOEL)
JUDGE

12.03.2025
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No